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(B)



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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: *Zalipsky et al.*

APPLICATION NO.: 10/714,085

FILED: November 14, 2003

FOR: **METHOD FOR TREATING MULTI-DRUG  
RESISTANT TUMORS**

EXAMINER: Kishore, Gollamudi S.

ART UNIT: 1615

CONF. NO: 9528

**Supplemental Information Disclosure Statement Within Three Months  
of Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last (37 C.F.R. § 1.97(b)). The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

- ☒ Copies of the following references are enclosed:
- ☒ All cited references.

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior

art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

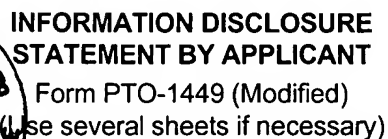
Respectfully submitted,  
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Form PTO-1449 (Modified)  
(Use several sheets if necessary)

1	of
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Application Number	10/714,085
Confirmation Number	9528
Filing Date	November 14, 2003
First Named Inventor	Zalipsky <i>et al.</i>
Group Art Unit	1615
Examiner Name	Kishore, Gollamudi S.
Attorney Docket No.	55325-8167.US06

Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	1.	4,021,449		Fujimoto <i>et al.</i>	5/77	
	2.	6,984,396		Zalipsky <i>et al.</i>	1/06	

[illegible][illegible]

DATE CONSIDERED \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).